

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION No. 19529 of 2006

-
Date 20-09-2006

Between:

Mikroflo Filters Pvt. Ltd.

..... PETITIONER

AND

The Regional Provident Fund Commissioner (C&R), Regional Officer,
Barkatpura, Hyderabad & another.

.....RESPONDENTS

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION No.19529 of 2006

ORDER :

This writ petition is filed aggrieved by the order passed by the first respondent dated 17-08-2006, under which, in exercise of the powers conferred under Section 14-B of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act'), a sum of Rs.14,12,775/- was levied as damages for the period from July, 1997 to September, 2005.

The petitioner does not dispute the fact that against the said order an appeal lies under Section 7-I of the Act before the Appellate Tribunal. However, it is stated that the Office of the Chairman of the Appellate Tribunal is vacant and, therefore, the petitioner could not move an application before the Tribunal for the appropriate relief.

Having regard to the facts and circumstances of the case and having heard the learned counsel for both the parties, the writ petition is disposed of with a direction that the appeal which was already presented by the petitioner shall be entertained on condition that the petitioner deposits 50% of the amount demanded under the impugned order dated

17-08-2006. If such a deposit is made within a period of four weeks from today, respondents are directed not to take any coercive steps against the petitioner till the disposal of the appeal. It is made clear that a sum of Rs.5,10,180/- deposited by the petitioner earlier in compliance with the orders of this Court in W.P.No.6283 of 2006 shall be adjusted towards the 50% of the amount directed to be paid

under this order. No order as to costs.

20-09-2006

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